§ 882.330 Tenant rent and total tenant payment.

The Total Tenant Payment and Tenant Rent for each Family are determined in accordance with part 813 of this chapter, based on the Family's Income.

§ 882.335 Special requirements for related lease shared housing.

(a) *Administrative plan.* (1) In the case of Related Lease Shared Housing, the administrative plan may contain policies providing for special treatment in the issuance and use of Certificates to facilitate the initial pairing of Families for assistance or the replacement of a Sharing Family that has vacated the unit.

(2) The administrative plan may permit a Certificate-holder, or a Sharing Family that is seeking to replace a Sharing Family that has vacated the unit, to locate a Family with which to share a unit from among applicants on the waiting list, who will then be issued a Certificate. The PHA may prescribe procedures for the use of the waiting list for this purpose, including limits on the number of applicants the Family may review and their place on the list.

(i) The PHA must require an applicant Family that is issued a Certificate on the basis of its willingness to share a unit with a particular Family to use the Certificate for occupancy of a unit with that Family under a Contract for Related Lease Shared Housing. However, if the Family later wants to move to another dwelling unit with continued participation in the PHA's program, the Family may select a dwelling unit in any area where the PHA is not legally barred from entering into Contracts.

(ii) If an applicant Family is intially issued a Certificate on the basis of its willingness to share a unit with a Family under a Contract for Related Lease Shared Housing, the PHA may not issue a new Certificate under § 882.209(m)(1) to the Family within 12 months of issuance of the initial Certificate, and the PHA must return the Family to the waiting list. The PHA may, at its discretion, deny such a Family's request for a new Certificate made 12 months or later after the issuance of the initial Certificate, and return the Family to the waiting list as an applicant for participation in the program. Under either of these circumstances, the position on the waiting list to which the Family is to be returned, is the place the Family would have had if it had not been given the initial Certificate.

(b) *Procedure to Establish Related Lease Shared Housing.* (1) To establish Related Lease Shared Housing, the two Families to be assisted must jointly request PHA approval of the proposed Leases, in accordance with § 882.209(e)(2).

(2) The request for PHA approval of the Leases must specify the proposed initial Contract Rent for occupancy by each Family. The PHA may not approve the Leases or enter into a Contract with the Owner, unless the proposed Contract Rent and Gross Rent for each Family is approvable (see § 882.320).

(3) The PHA may not approve Leases for Shared Housing unless it has first inspected the unit and determined that the housing complies with housing quality standards for Shared Housing, as established by the PHA in accordance with § 882.109 (see § 882.209(h)).

(4)(i) The Leases for each of the Sharing Families must be approved by the PHA, and must be in accordance with the requirements of § 882.209(j)(1) and this section. The PHA may specify provisions (in addition to, and consistent with, provisions required by HUD) for inclusion in Shared Housing Leases.

(ii) The Leases must provide that if one Sharing Family vacates the unit the remaining Family must promptly locate another Family that wants to occupy the unit as a Sharing Family and that is acceptable to the Owner. Failure to comply with this requirement constitutes a serious violation of the Lease.

(iii) The Lease for a successor Sharing Family must be approved by the PHA, and must be in accordance with the requirements of this paragraph.

(5) After the PHA approves the Leases for the initial Sharing Families and copies of both executed Leases have been furnished to the PHA, the PHA will execute a single Contract for the two Families. The Contract must